

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Status of Claims:

Claims 1-3, 9, 11, 13-15, 19, 24, 26, 28, 31, 32 and 33 are currently being amended.

Claims 4-8, 10 and 12 are currently being canceled.

Claims 34-36 are currently being added.

This amendment and reply adds, cancels and amends claims in this application. A detailed list of the presently pending claims is provided in this amendment and reply, with the appropriate claim designation.

Claims 1-3, 9, 11, and 13-36 are now pending for consideration on the merits.

Claim Rejections – Prior Art:

In the Office Action, claims 1-4 and 12-14 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,819,942 to Aotake et al.; claims 15-16, 18, 26, and 30-31 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Aotake et al. in view of U.S. Patent No. 5,797,102 to Hallikainen et al.; claims 32 and 33 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hallikainen et al. in view of Aotake et al.; claims 5-11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Aotake et al. in view of U.S. Patent Publication No. 2002/0022499 to Newman et al.; claims 17, 19-20 and 27-29 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hallikainen et al. in view of Newman et al.; and claims 21-25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hallikainen et al. in view of Newman et al. and further in view of U.S. Patent Publication No. 2005/0026643 to White et al. These rejections are traversed with respect to the presently pending claims under rejection, for at least the reasons given below.

Presently pending independent claim 1 has been amended to recite specific features of the cellular phone and the attachment, whereby those features are not believed to be disclosed, taught or suggested by the cited art of record. In particular, claim 1 recites that the cellular phone includes a first casing, a second casing, and a pivot. Claim 1 also recites that the attachment has a substantially similar shape as the first casing and is configured to fit over

the first casing to thereby envelop the first casing. See, for example, Figures 3A, 3B and 3C of the drawings.

Aotake et al. shows an attachment device FU that attaches to a cellular phone MU, whereby the attachment device clearly does not have a substantially similar shape to the cellular phone MU. Also, Aotake et al.'s cellular phone does not have a first casing, a second casing and a pivoting means. Figure 4 of Hallikainen et al. shows a block diagram of a connecting device connected to a cellular phone, whereby no structural features of the attachment device and the cellular phone are described in Hallikaninen et al. Newman et al. shows a personal communicator that includes a communications module 2, a display module 3, and a core computer module 4, whereby none of those components corresponds to an attachment that has a substantially similar shape as another of the components making up the personal communicator in order to envelop that other component. Lastly, White et al. shows an accessory 3 that attaches to a cellular phone 5, whereby White et al.'s cellular phone does not have first and second casings, since that would defeat the purpose of White et al.'s accessory 3 that is meant for a non-folding cellular phone 5. Additionally, White et al.'s accessory 3 does not envelop the cellular phone 5, but merely attaches to one surface of the cellular phone 5.

Therefore, presently pending independent claim 1 is patentable over the combined teachings of the cited art of record.

Presently pending independent claim 15 has been amended to recite specific features of an attachment, including a first exterior surface, a second exterior surface, and an opening provided between the first and second exterior surfaces to allow the attachment to be fitted over a first casing of a cellular phone. None of the cited art of record teaches or suggests these features. Aotake et al.'s attachment FU does not appear to have an opening for encompassing a portion of the cellular phone MU. Hallikainen et al. does not describe any structural features of his attachment device. Newman et al. describes three attachment devices for attachment to each other, whereby none of those attachment devices has the structure as recited in claim 15. Lastly, White et al. describes an attachment device for attaching to a cellular phone, whereby the attachment device has only one surface and does not have an opening between two opposite surfaces, as recited in claim 15.

Therefore, presently pending independent claim 15 is patentable over the combined teachings of the cited art of record.

Presently pending independent claim 32 has been amended to recite specific features of an attachment and a cellular phone, wherein the attachment has a case-like shape with a first exterior surface, a second exterior surface opposite the first exterior surface, first and second sidewalls, and an opening provided within the case-like shape, and the cellular phone includes a first casing having a substantially same width and height as the attachment; and a second casing pivotably attached to the first casing, wherein the attachment is fitted over the first casing to thereby attach the attachment to the cellular phone. Such features are not disclosed, taught or suggested by any of the cited art of record as discussed previously.

Therefore, presently pending independent claim 32 is patentable over the combined teachings of the cited art of record.

The presently pending dependent claims under rejection are patentable due to their respective dependencies on either claim 1, 15 and 32, as well as for the specific features recited in those dependent claims. For example, claim 3 recites that an entirety of the first casing is capable of being fitted over by the attachment. Claim 11 recites that both front and back surfaces of the first casing have recesses or protruding portions. Claim 31 recites that the second casing of the cellular phone includes a plurality of keypads provided thereon.

New Claims:

New claims 34-36 have been added to recite additional features of the present invention that are believed to provide a separate basis for patentability of those claims. For example, the features recited in claim 34 allow for the attachment to be snugly fit over the first casing of the cellular phone. The features recited in claim 36 correspond to the structure shown in Figures 7A and 7B of the drawings.

Conclusion:

Since all of the issues raised in the Office Action have been addressed in this Amendment and Reply, Applicant believes that the present application is now in condition for allowance, and an early indication of allowance is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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